

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ANTHONY J. ROWE,)
Plaintiff,) 4:05cv3274
vs.)
AMANDA JONES , et al.,)
Defendants.) MEMORANDUM AND ORDER

This matter is before the court on filing no. 6, the Motion to Stay filed by the plaintiff, Anthony J. Rowe, and filing no. 8, the plaintiff's Motion for Leave to Proceed In Forma Pauperis ("IFP"). The plaintiff previously filed a motion to proceed IFP (filing no. 2), which the court granted (filing no. 7). Therefore, as the plaintiff has already received leave to proceed IFP, filing no. 8 is granted.

Regarding filing no. 6, the court cannot stay this case. In addition, this court cannot issue an injunction to compel another judge to act or to refrain from acting in state court proceedings. Federal courts have no general power to compel action by state judicial officials, and insofar as the plaintiff wants this court to protect him from the Dakota County District Court, this court lacks authority to do so. See, e.g., Davis v. Lansing, 851 F.2d 72, 74 (2d Cir.1988) (federal courts have no general power to interfere in state court proceedings or to direct state courts or their judicial officers in the performance of their duties).

THEREFORE, IT IS ORDERED:

1. That filing no. 6, the plaintiff's Motion to Stay, is denied; and
2. That filing no. 8, the plaintiff's Motion for Leave to Proceed In Forma Pauperis, is granted in accordance with filing no. 7, the court's previous Prisoner Payment Order.

DATED this 29th day of November, 2005.

BY THE COURT:

s/ F.A. GOSSETT
United States Magistrate Judge